

## REMARKS

### New Claims

Claims 110-112 have been added to the application. New claim 110, which is dependent on either claim 52 or 78, is directed to a Markush grouping of primary layer compounds described at page 12, line 28 to page 13, line 3 of the specification. New claims 111 and 112, which are dependent on claim 52, are directed to the secondary layer being in the form of a water-based and solvent-based polyurethane paint, respectively, support for which may be found at page 21, lines 4-6 of the specification. Entry of new claims 110-112 into the application is respectfully requested.

### Restriction Requirement

The Examiner's requirement for restriction of the application claims into two different groups (Group I, directed to method claims 1-51; and Group II, directed to product claims 52-101 ) is respectfully traversed. The Examiner's allegation that the Group I and II claims are separate inventions based on his contention that "the product [of the present application] can be made by another and materially different process, such as coextrusion," is unsubstantiated. Moreover, because the instant product and method claims have, according to the Examiner, acquired a separate status in the art by their different classifications, this is not, by itself, a proper basis for dissecting the application. MPEP § 806.05(e) indicates that a reasonable showing must be made and that the burden lies on the Examiner for doing so. Since no substantiated example has been presented that the claimed product can be made by co-extrusion, withdrawal of the restriction requirement is respectfully requested.

In the event that the restriction requirement is made final, and in keeping with the conditions set forth in paragraph 5 of the Office Action, applicant provisionally elects the product claims of Group II (52-101) for prosecution. In further keeping with the requirements prescribed in paragraph 4 of the Office Action, applicant also makes the

following elections with regard to the grouping of the species compounds on condition that the restriction requirement is made final:

For Species Group I: Primary Layer Composition, applicant provisionally elects Species A, claims 54-57 and 81.

For Species Group II: Aromatic Isocyanate Coating Composition, applicant provisionally elects Species I, claim 25.

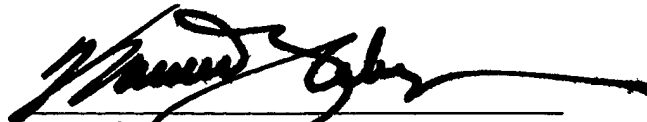
For Species Group III: Aromatic Isocyanate Compound, applicant provisionally elects Species K, claims 102 and 104 (4,4'-diphenylmethane diisocyanate).

In accordance with the requirements of 37 C.F.R. 1.17(a)(1), a credit card payment form [PTO-2038 (02-2003)] authorizing the total payment of \$160.00 for (i) the small entity addition of claims 110-112 (\$100), and (ii) the small entity one-month extension of time fee (\$60), is enclosed.

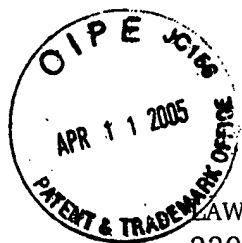
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to **Deposit Account No. 501241**. A duplicate copy of this sheet is enclosed for that purpose.

Entry of the foregoing amendments into the application record and an early action on the merits of the application, are earnestly solicited.

Respectfully submitted,



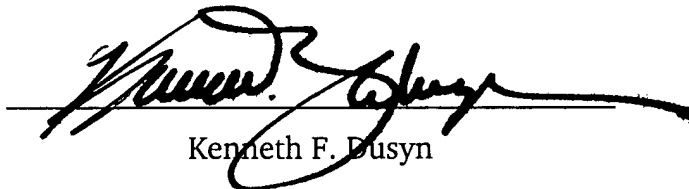
Kenneth F. Dusyn  
Registration No: 26,158



LAW OFFICES OF KENNETH F. DUSYN  
330 MAIN STREET  
HARTFORD, CT 06106  
Telephone: [860] 246-4600  
Fax: [860] 722-9570

CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence and its accompanying enclosures are being deposited with the United States Postal Service as "First Class Mail" in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8<sup>th</sup> day of April, 2005.



Kenneth F. Dusyn

following elections with regard to the grouping of the species compounds on condition that the restriction requirement is made final:

For Species Group I: Primary Layer Composition, applicant provisionally elects Species A, claims 54-57 and 81.

For Species Group II: Aromatic Isocyanate Coating Composition, applicant provisionally elects Species I, claim 25.

For Species Group III: Aromatic Isocyanate Compound, applicant provisionally elects Species K, claims 102 and 104 (4,4'-diphenylmethane diisocyanate).

In accordance with the requirements of 37 C.F.R. 1.17(a)(1), a credit card payment form [PTO-2038 (02-2003)] authorizing the total payment of \$160.00 for (i) the small entity addition of claims 110-112 (\$100), and (ii) the small entity one-month extension of time fee (\$60), is enclosed.

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